



Division of Licensing Services
Office of Long Term Care Licensing

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JANET NAPOLITANO, GOVERNOR
SUSAN GERARD, DIRECTOR

November 29, 2005

Dear Administrator:

It has come to the attention of the Department of Health Services; Office of Long Term Care Licensing (Office) that facilities may be using "enclosure beds" when there is no medical necessity for their use. These beds have enclosed netting that surrounds the sides and top of the bed much like a tent. The resident is placed inside the enclosed netting which is then zipped closed. The Office has concerns regarding the use of these beds, which are considered restraints, and wants to alert you to their concerns.

Prior to using such a bed system, the facility must identify the medical symptom being treated, and identify and implement alternatives for removing the symptom such as rehabilitative/restorative care, providing meaningful activities, manipulating the resident's environment, and meeting the individuals needs regarding customary daily routines. If the cause of the medical symptom cannot be eliminated or reduced, facilities must try alternatives in order to avoid a decline in physical functioning associated with restraint use. As with all restraint use, the least restrictive device for the least amount of time should be used when other alternatives have been tried and failed. Facilities must explain and document the risks, benefits and alternatives and reassess the resident's use of the restraint on a regular basis.

Federal regulations provide that the resident has the right to be free of any physical or chemical restraint imposed for the purposes of discipline or convenience, and not required to treat the resident's medical symptoms. In addition to restraint use, Federal regulations and State rules address the resident's right to dignity and in making choices regarding his/her care. Facilities must allow residents to take an active role in their care and treatment options. It is the resident's right to refuse any device, or treatment.

The Federal Regulation regarding restraints is located at §483.13(a), F221. The State Rule is located at R9-10-907.1.b.i. The Federal Regulation regarding dignity is located at §483.15(a) F 241. The State Rule is located at R9-10-907.1.a. The Federal Regulations regarding participation in planning care and treatment is located at §483.10(d)(3) F280. The State Rule is located at R9-10-907.2.a. These regulations can be accessed from the Office web site at, www.azdhs.gov/als/ltc/index.htm.

Facilities should review their current policies and procedures, as well as actual practices to assure that such devices are not in use against Federal or State regulatory guidelines.

If there are any questions regarding the use of enclosed bed systems, please feel free to contact me at 602-364-2675 or by e-mail at balists@azdhs.gov.

Sincerely,

Sylvia Balistreri, Program Manager
Office of Long Term Care Licensing